ESTTA Tracking number:

ESTTA451592 01/17/2012

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| Proceeding | 91201531 |
|---------------------------|---|
| Party | Defendant Acumed LLC |
| Correspondence Address | TIMOTHY J. ENGLING MILLER CANFIELD PADDOCK AND STONE, P.L.C STE 2600 225 W WASHINGTON ST CHICAGO, IL 60606 engling@millercanfield.com |
| Submission | Motion to Amend Application |
| Filer's Name | Timothy J. Engling |
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| Signature | /tjengling/ |
| Date | 01/17/2012 |
| Attachments | 19759495_1.pdf (1 page)(5993 bytes) |

Consented Motion to Amend Description of Goods

The opposer agrees to withdraw Opposition No. 91201531 to Acumed's application for its ACU-SINCH mark provided that the USPTO accepts Acumed's proposed narrowing amendment of the description of goods in US Application Serial No. 85/259,807 from

"surgical and medical apparatus and instruments for use in orthopedic surgery; Surgical implants comprising artificial materials" to

"surgical instruments and implants comprising artificial materials for use in orthopedic surgery."

This proposed amendment is submitted with opposer's consent.

Acumed filed a consented motion to suspend the opposition, which was granted. The applicant requests that USPTO evaluate and accept the proposed amendment to the description of goods to resolve this opposition.